

Group III, claims 4-14, drawn to a compound of formula (5) and a process for the preparation of intermediate compound of formula (5).

In response, Applicant has elected Group I for examination. The election is made with traverse for at least the following reasons.

Applicant first wishes to remind the Examiner that this application is a 371 national phase of international patent application no. PCT/GB2005/001099. The applicable rules regarding unity of invention under 371 practice differ from the rules for conventional US restriction practice. The rules for unity of invention apply to the claims of instant application.

The inventions of Group II and Group III share a structural element with the compound of formula (7). The common technical feature might not be immediately apparent to the Examiner since the compounds of formulas (1), (2), (3), and (5) are all lactones or lactone equivalents, which are closed-ring equivalents to the right-hand side portion of the compound (7) as drawn in claim 1. The substitution pattern of the lactone leads directly to the observed substitution pattern in the corresponding portion of compound (7). As such, compound (7) and compounds (1), (2), and (3) share common structural features even though that may not be immediately apparent. For this reason, Applicant submits that the subject matter of Groups I, II, and III is unified. The remaining portion of compound (7) (i.e., the left-hand side portion containing the aromatic ring and double bond) is derived by coupling the lactone or lactone derivative with a suitable aromatic compound of formula (4).

Applicant believes no fee is occasioned by this response. However, if a fee is required, the Director is hereby authorized to charge the amount of such fee to our Deposit Account No. 06-1448, reference HGX-005.01

Respectfully submitted,

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